



TITLE: EMPLOYEE LEAVE

POLICY 3.3 Rev. January 2018

PURPOSE AND SCOPE:

This policy outlines Kokua's procedures for granting employee leave. This policy adheres to the Federal Family and Medical Leave Act, Washington State Family Leave Act, Uniformed Services Employment and Reemployment Rights Act of 1994, Initiative 1433 and all Labor and Industry standards.

A. EMPLOYEE PAID TIME OFF (PTO) ACCRUAL

Employees who have been employed with Kokua for at least 90 days are eligible for paid time off.

Beginning January 1st, 2018 employees will accrue paid time off at the following rates:

- Employees who have been employed with Kokua for more than 90 days but less than three years will accrue paid time off at the rate of 1 hour of PTO for every 40 hours worked. This PTO may be carried over from year to year, up to a maximum of 40 hours per year.
- Employees who have been employed for three years and up until their fourth year anniversary will accrue PTO at a rate of 1 hour of PTO for every 30 hours worked. This PTO may be carried over from year to year, up to a maximum of 125 hours of leave.
- Employees who have been employed for four years and up until their 5th year anniversary will accrue PTO at a rate of 1 hour of PTO for every 25 hours worked. This PTO may be carried over from year to year, up to a maximum of 125 hours of leave.
- After 5 years of employment, annual leave will accrue at a rate of 1 hour of PTO for every 20 hours worked. This PTO may be carried over from year to year, up to a maximum of 125 hours of leave.

Unspent sick leave (affecting employees that have been employed for less than 3 years) on December 31st will be rolled into 2018 at a rate of 8 hours per sick leave day. No more than 40 hours will be rolled into 2018.

Reasonable Notice for the Use of Paid Time Off

Employees must provide reasonable notice of an absence from work for the use of paid time off to care for themselves or a family member, or because the employee's child's school or place of care is closed by order of a public official for any health-related reason. Such notice must not interfere with an employee's lawful use of paid time off. Any information provided will be kept confidential.

Reasonable Notice for Foreseeable Use of Paid Time Off

If an employee's absence is foreseeable, the employee must provide notice to their Team Leader (or Client Service Coordinator in the case of a Team Leader vacancy) at least 5 days, or as early as practicable, before the first day paid time off is used.

- This notice should be turned in via a Vacation Request Form.
- If possible, notification should include the expected duration of the absence.

Reasonable Notice for Unforeseeable Use of Paid Time Off

If an employee's absence is unforeseeable, the employee must contact the Kokua On-Call phone at 360-790-5916 as soon as possible before the required start of their shift.

- As a best practice, and if circumstances allow, employees should provide notice as soon as the employee learns of the need for paid time off.
- In the event it is not practicable to provide notice of an unforeseeable absence, a person on the employee's behalf may provide such notice.
- If possible, this notification should include the expected duration of the absence.

Reasonable Notice for Use of Paid Time Off for Domestic Violence Leave

An employee must give advance oral or written notice to the Kokua On-Call phone at 360-790-5916 as soon as possible for the foreseeable use of paid leave to address issues related to the employee or the employee's family member being a victim of domestic violence, sexual assault, or stalking.

Reasonable Notice for Unforeseeable Use of Paid Time Off

If an employee is unable to give advance notice because of an emergent or unforeseen circumstance related to the employee or the employee's family member being a victim of domestic violence, sexual assault, or stalking, the employee or their designee must give oral or written notice to the Kokua On-Call phone at 360-790-5916 no later than the end of the first day that the employee takes such leave.

Note: Verification may be required if an employee uses paid time off for more than three (3) consecutive days for which the employee was required to work.

B. EMPLOYMENT TERMINATION

Upon termination of employment, employees are eligible to be paid for accumulated Paid Time Off with the following exceptions:

Employees will not receive unspent PTO if employment is terminated:

1. Without the employee giving a full two-week's notice of termination.
2. Within the employee's first 90 days of employment.
3. If employment was terminated "for cause". Cause is to be determined by Kokua.

Rare exceptions to this policy may be granted on a case-by-case basis.

C. LEAVE FOR TEAM LEADERS

Team Leaders who will be taking a planned leave of more than 48 hours must submit a Leave Request and an amended staffing schedule to their Client Service Coordinator for approval. A designated Team Leader needs to be appointed for the period of the leave.

D. FAMILY AND MEDICAL LEAVE

An employee who has worked at least 12 months and at least 1250 hours is entitled to 12 weeks of unpaid leave time during any 12 month period if:

1. An employee has a serious health condition that makes him/her unable to perform the functions of his/her position, or
2. To care for an employee's spouse, parent or child who has a serious health condition; and/or
3. To provide care for an employee's new born, adopted or foster care child.

Employees who are eligible for Family and Medical Leave are entitled to be restored, at the end of their leave, to the same job position or an equivalent job with the same benefits, pay and other terms of employment. An employee who wants to request Family and Medical Leave must do so in writing to the Human Resources Coordinator. The request should state the begin date and end date of the leave period and the reason for the leave. The employee will receive a written response to their request. Employee health benefits will be maintained for the period of the leave at the same level and conditions as if the employee continued to work. Any health premiums paid by the employee prior to the leave must continue to be paid by the employee

during the leave period. Accumulated paid leave will be used concurrently with the unpaid leave time and will not extend the 12-week period. Unpaid leave will be granted when an employee's paid leave hours have been exhausted.

E. SHARED LEAVE

Employees may donate a portion of their accrued leave time to a fellow employee who must miss work due to a situation covered under the Family and Medical Leave Act. It is not necessary for the employee to formally request Family and Medical Leave in order to be eligible to receive shared leave.

An employee wishing to donate leave to a co-worker should fill out a Shared Leave Donation Form and turn it in to the Business Operations Coordinator for approval. The B.O.C. will assure that the employee donating leave has sufficient accrued leave remaining to provide for his/her own needs.

F. UNPAID LEAVE OF ABSENCE

Requests for unpaid leave time that do not meet the criteria for Family and Medical Leave may be granted at the discretion of the Human Resources Coordinator. Requests should be made in writing. Leave may be granted if it does not conflict with scheduled earned leave time already granted to other employees, if the employee's absence does not cause a serious understaffing situation or if the schedule changes proposed do not result in the need for an authorization of overtime hours. Employees who take an unpaid leave of absence will not be eligible for paid medical benefits for any full month they are absent from work.

G. JURY DUTY

Kokua does not reimburse employees for serving jury duty. An employee may elect to use accumulated leave hours for an absence due to jury service. Kokua will support staff to fulfill their civic duty, Kokua will support these staff by assisting to fill the shifts that would be vacated by the leave. Staff are required to give the Kokua office one week notice for all jury duty leave, if given this notice staff will not be held responsible for the shift should it fail to be filled.

H. UNPAID MILITARY LEAVE

It is the policy of Kokua to grant military leaves of absence as required by the Uniformed Services Employment and Reemployment Act (USERRA) and by the needs of employees who are members of the military service.

1. Any full-time employee who is called to active military duty will be granted a military leave of absence provided the request is in writing and is accompanied by a valid copy of military orders. The duration of the leave shall be the term of enlistment plus any additional time that may be required by the government. It shall include a reasonable allowance of time for travel and adjustment. If the employee voluntarily re-enlists, the military leave will be cancelled and reinstatement privileges terminated.
2. On return from military leave of absence, the employee will be reinstated as required by law, subject to these conditions:
 - o The employee must apply for reinstatement and return to work within 90 days of separation from active duty. Failure to comply will terminate military leave and reinstatement privileges.
 - o If the employee's former job is not available, the company will provide a job of similar status and pay.
3. When employees are called to military duty emergency conditions, adjustments and exceptions to this policy may be made as circumstances require.

I. PAID MILITARY LEAVE

An employee of Kokua who is a member of the National Guard or a reserve component of the Armed Forces of the United States, is entitled, upon written request, to a leave of absence not exceeding 15 working days in any year commencing Oct 1. Such leave will be granted without loss of time, pay or leave and without impairment of any other benefits to which the employee may be entitled. Military leave with pay will only be granted when an employee submits a copy of military orders to temporary active or training duty which designates the specific dates of such training. The leave will not be paid unless the employee returns to work on the next scheduled work day following the expiration of the period of duty.